

# House Amendment 8728

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1 1 Amend House File 2700, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, line 12, by striking the figure  
1 4 <1,439,884> and inserting the following: <1,400,261>.  
1 5 #2. Page 9, by striking lines 21 and 22 and  
1 6 inserting the following: <director, and the Iowa>.  
1 7 #3. Page 12, lines 12 and 13, by striking the  
1 8 words <secretary of the Iowa state fair board,>.  
1 9 #4. Page 17, by inserting after line 28 the  
1 10 following:  
1 11 <Section 1. Section 173.10, Code 2007, is amended  
1 12 to read as follows:  
1 13 173.10 SALARY OF SECRETARY.  
1 14 ~~The secretary shall receive the salary fixed by the~~  
1 15 ~~board. The compensation and employment terms of the~~  
1 16 ~~secretary shall be set by the Iowa state fair board~~  
1 17 ~~with the approval of the governor, taking into~~  
1 18 ~~consideration the level of knowledge and experience of~~  
1 19 ~~the secretary.>~~  
1 20 #5. Page 17, by inserting after line 30 the  
1 21 following:  
1 22 <Sec. 2. Section 8.7, Code 2007, is amended to  
1 23 read as follows:  
1 24 8.7 REPORTING OF GIFTS AND BEQUESTS RECEIVED.  
1 25 All gifts, ~~and~~ bequests, ~~and~~ grants received by a  
1 26 department or accepted by the governor on behalf of  
1 27 the state shall be reported to the Iowa ethics and  
1 28 campaign disclosure board and the government oversight  
1 29 committees. The ethics and campaign disclosure board  
1 30 shall, by January 31 of each year, submit to the  
1 31 fiscal services division of the legislative services  
1 32 agency a written report listing all gifts, ~~and~~  
1 33 ~~bequests, and grants~~ received during the previous  
1 34 calendar year with a value over one thousand dollars  
1 35 and the purpose for each such gift, ~~or~~ bequest, ~~or~~  
1 36 ~~grant~~. The submission shall also include a listing of  
1 37 all gifts, ~~and~~ bequests, ~~and~~ grants received by a  
1 38 department from a person if the cumulative value of  
1 39 all gifts, ~~and~~ bequests, ~~and~~ grants received by the  
1 40 department from the person during the previous  
1 41 calendar year exceeds one thousand dollars, and the  
1 42 ethics and campaign disclosure board shall include, if  
1 43 available, the purpose for each such gift, ~~or~~ bequest,  
1 44 ~~or grant~~. However, ~~the~~ reports on gifts, ~~grants,~~ or  
1 45 bequests filed by the state board of regents pursuant  
1 46 to section 8.44 shall be deemed sufficient to comply  
1 47 with the requirements of this section.  
1 48 Sec. 3. Section 8.9, Code 2007, is amended to read  
1 49 as follows:  
1 50 8.9 GRANTS ENTERPRISE MANAGEMENT OFFICE.  
2 1 1. The office of grants enterprise management is  
2 2 established in the department of management. The  
2 3 function of the office is to develop and administer a  
2 4 system to track, identify, advocate for, and  
2 5 coordinate nonstate grants as defined in section 8.2,  
2 6 subsections 1 and 3. Staffing for the office of  
2 7 grants enterprise management shall be provided by a  
2 8 facilitator appointed by the director of the  
2 9 department of management. Additional staff may be  
2 10 hired, subject to the availability of funding.  
2 11 Funding for the office is from the appropriation to  
2 12 the department pursuant to section 8A.505, subsection  
2 13 2.  
2 14 2. a. All grant applications submitted and grant  
2 15 moneys received by a department on behalf of the state  
2 16 shall be reported to the office of grants enterprise  
2 17 management. The office shall by January 31 of each  
2 18 year submit to the fiscal services division of the  
2 19 legislative services agency a written report listing  
2 20 all grants received during the previous calendar year  
2 21 with a value over one thousand dollars and the funding  
2 22 entity and purpose for each grant. However, the  
2 23 reports on grants filed by the state board of regents  
2 24 pursuant to section 8.44 shall be deemed sufficient to

2 25 comply with the requirements of this subsection.  
2 26 b. The office of grants enterprise management  
2 27 shall submit by July 1 and January 1 of each year to  
2 28 the government oversight committees a written report  
2 29 summarizing departmental compliance with the  
2 30 requirements of this subsection.  
2 31 Sec. 4. Section 12C.16, subsection 1, paragraph b,  
2 32 subparagraph (4), Code Supplement 2007, is amended to  
2 33 read as follows:  
2 34 (4) To the extent of the guarantee, loans,  
2 35 obligations, or nontransferable letters of credit upon  
2 36 which the payment of principal and interest is fully  
2 37 secured or guaranteed by the United States of America  
2 38 or an agency or instrumentality of the United States  
2 39 of America or the United States central credit union,  
2 40 a corporate central credit union organized under  
2 41 section 533.213, or a corporate credit union ~~organized~~  
2 42 ~~under 12 C.F.R. } 704 whose activities are subject to~~  
2 43 ~~regulation by the national credit union~~  
2 44 ~~administration, and the rating of any one of such~~  
2 45 ~~credit unions remains within the two highest~~  
2 46 ~~classifications of prime established by at least one~~  
2 47 ~~of the standard rating services approved by the~~  
2 48 ~~superintendent of banking by rule pursuant to chapter~~  
2 49 ~~17A. The treasurer of state shall adopt rules~~  
2 50 ~~pursuant to chapter 17A to implement this section.~~  
3 1 Sec. 5. Section 12C.17, subsection 1, paragraph c,  
3 2 Code Supplement 2007, is amended to read as follows:  
3 3 c. The securities shall be deposited with the  
3 4 federal reserve bank, the federal home loan bank of  
3 5 Des Moines, Iowa, or the United States central credit  
3 6 union, a corporate central credit union organized  
3 7 under section 533.213, or a corporate credit union  
3 8 ~~organized under 12 C.F.R. } 704 whose activities are~~  
3 9 ~~subject to regulation by the national credit union~~  
3 10 ~~administration pursuant to a bailment agreement or a~~  
3 11 ~~pledge custody agreement.~~  
3 12 Sec. 6. Section 12C.17, subsection 4, Code  
3 13 Supplement 2007, is amended to read as follows:  
3 14 4. Upon written request from the appropriate  
3 15 public officer but not less than monthly, the federal  
3 16 reserve bank, the federal home loan bank of Des  
3 17 Moines, Iowa, the United States central credit union,  
3 18 a corporate central credit union organized under  
3 19 section 533.213, or a corporate credit union ~~organized~~  
3 20 ~~under 12 C.F.R. } 704 whose activities are subject to~~  
3 21 ~~regulation by the national credit union administration~~  
3 22 shall report a description, the par value, and the  
3 23 market value of any pledged collateral by a credit  
3 24 union.>  
3 25 #6. Page 19, line 13, by inserting after the word  
3 26 <subsection> the following: <, or not otherwise  
3 27 confidential,>.  
3 28 #7. Page 22, by inserting before line 31 the  
3 29 following:  
3 30 <Sec. 7. Section 68B.32, subsection 1, Code 2007,  
3 31 is amended to read as follows:  
3 32 1. An Iowa ethics and campaign disclosure board is  
3 33 established as an independent agency. The board shall  
3 34 administer this chapter and set standards for,  
3 35 investigate complaints relating to, and monitor the  
3 36 ethics of officials, employees, lobbyists, and  
3 37 candidates for office in the executive branch of state  
3 38 government. The board shall administer and set  
3 39 standards for, investigate complaints relating to, and  
3 40 monitor the campaign finance practices of candidates  
3 41 for public office. The board shall administer and  
3 42 establish standards for, investigate complaints  
3 43 relating to, and monitor the reporting of gifts, ~~and~~  
3 44 ~~bequests, and grants~~ under section 8.7. The board  
3 45 shall consist of six members and shall be balanced as  
3 46 to political affiliation as provided in section 69.16.  
3 47 The members shall be appointed by the governor,  
3 48 subject to confirmation by the senate.  
3 49 Sec. 8. Section 68B.32A, subsection 4, Code  
3 50 Supplement 2007, is amended to read as follows:  
4 1 4. Receive and file registration and reports from  
4 2 lobbyists of the executive branch of state government,  
4 3 client disclosure from clients of lobbyists of the  
4 4 executive branch of state government, personal  
4 5 financial disclosure information from officials and

4 6 employees in the executive branch of state government  
4 7 who are required to file personal financial disclosure  
4 8 information under this chapter, and gift, and bequest,  
4 9 ~~and grant~~ disclosure information pursuant to section  
4 10 8.7. The board, upon its own motion, may initiate  
4 11 action and conduct a hearing relating to reporting  
4 12 requirements under this chapter or section 8.7.

4 13 Sec. 9. Section 84A.5, subsection 1, paragraph a,  
4 14 Code Supplement 2007, is amended to read as follows:

4 15 a. The workforce development system shall strive  
4 16 to provide high quality services to its customers  
4 17 including workers, families, and businesses. The  
4 18 department of workforce development shall maintain a  
4 19 common intake, assessment, and customer tracking  
4 20 system and to the extent practical provide one-stop  
4 21 services to customers at workforce development centers  
4 22 and other service access points. The department of  
4 23 workforce development shall administer a statewide  
4 24 standard skills assessment to assess the employability  
4 25 skills of adult workers statewide and shall instruct  
4 26 appropriate department staff in the administration of  
4 27 the assessment. The assessment shall be included in  
4 28 the one-stop services provided to customers at  
4 29 workforce development centers and other service access  
4 30 points throughout the state.

4 31 Sec. 10. Section 85.1, subsection 6, Code  
4 32 Supplement 2007, is amended to read as follows:

4 33 6. Employers may with respect to an employee or a  
4 34 classification of employees exempt from coverage  
4 35 provided by this chapter pursuant to subsection 1, 2,  
4 36 or 3, other than the employee or classification of  
4 37 employees with respect to whom a rule of liability or  
4 38 a method of compensation is established by the  
4 39 Congress of the United States, assume a liability for  
4 40 compensation imposed upon employers by this chapter,  
4 41 for the benefit of employees within the coverage of  
4 42 this chapter, by the purchase of valid workers'  
4 43 compensation insurance that does not specifically  
4 44 exclude the employee or classification of employees.  
4 45 In addition, an employer that assumed a liability for  
4 46 compensation imposed upon employers by this chapter  
4 47 pursuant to a collective bargaining agreement with  
4 48 respect to an employee or a classification of  
4 49 employees exempt from coverage provided by this  
4 50 chapter pursuant to subsection 4 as of July 1, 2007,  
5 1 may continue to assume liability for that compensation  
5 2 pursuant to a subsequent collective bargaining  
5 3 agreement, for the benefit of such employees, by the  
5 4 purchase of valid workers' compensation insurance that  
5 5 does not specifically exclude that employee or  
5 6 classification of employees. The purchase of and

5 7 acceptance by an employer of valid workers'  
5 8 compensation insurance applicable to the employee or  
5 9 classification of employees constitutes an assumption  
5 10 by the employer of liability without any further act  
5 11 on the part of the employer, but only with respect to  
5 12 the employee or classification of employees as are  
5 13 within the coverage of the workers' compensation  
5 14 insurance contract and only for the time period in  
5 15 which the insurance contract is in force. Upon an  
5 16 election of such coverage, the employee or  
5 17 classification of employees shall accept compensation  
5 18 in the manner provided by this chapter and the  
5 19 employer shall be relieved from any other liability  
5 20 for recovery of damage, or other compensation for  
5 21 injury.

5 22 Sec. 11. Section 96.3, subsection 5, Code 2007, is  
5 23 amended to read as follows:

5 24 5. a. DURATION OF BENEFITS. The maximum total  
5 25 amount of benefits payable to an eligible individual  
5 26 during a benefit year shall not exceed the total of  
5 27 the wage credits accrued to the individual's account  
5 28 during the individual's base period, or twenty-six  
5 29 times the individual's weekly benefit amount,  
5 30 whichever is the lesser. The director shall maintain  
5 31 a separate account for each individual who earns wages  
5 32 in insured work. The director shall compute wage  
5 33 credits for each individual by crediting the  
5 34 individual's account with one-third of the wages for  
5 35 insured work paid to the individual during the  
5 36 individual's base period. However, the director shall

5 37 recompute wage credits for an individual who is laid  
5 38 off due to the individual's employer going out of  
5 39 business at the factory, establishment, or other  
5 40 premises at which the individual was last employed, by  
5 41 crediting the individual's account with one-half,  
5 42 instead of one-third, of the wages for insured work  
5 43 paid to the individual during the individual's base  
5 44 period. Benefits paid to an eligible individual shall  
5 45 be charged against the base period wage credits in the  
5 46 individual's account which have not been previously  
5 47 charged, in the inverse chronological order as the  
5 48 wages on which the wage credits are based were paid.  
5 49 However if the state "off indicator" is in effect and  
5 50 if the individual is laid off due to the individual's  
6 1 employer going out of business at the factory,  
6 2 establishment, or other premises at which the  
6 3 individual was last employed, the maximum benefits  
6 4 payable shall be extended to thirty-nine times the  
6 5 individual's weekly benefit amount, but not to exceed  
6 6 the total of the wage credits accrued to the  
6 7 individual's account.

6 8 b. TRAINING EXTENSION BENEFITS. An individual who  
6 9 is in training with the approval of the director at  
6 10 the time regular benefits are exhausted may be  
6 11 eligible for training extension benefits. The  
6 12 training extension benefit amount shall be twenty-six  
6 13 times the individual's weekly benefit amount, and the  
6 14 weekly benefit amount shall be equal to the  
6 15 individual's weekly benefit amount for the claim in  
6 16 which benefits were exhausted while in training. An  
6 17 individual who is receiving training extension  
6 18 benefits shall not be denied benefits due to  
6 19 application of section 96.4, subsection 3, or section  
6 20 96.5, subsection 3. However, an employer's account  
6 21 shall not be charged with benefits so paid. Relief of  
6 22 charges under this paragraph applies to both  
6 23 contributory and reimbursable employers,  
6 24 notwithstanding section 96.8, subsection 5. In order  
6 25 for the individual to be eligible for training  
6 26 extension benefits the training must be for a  
6 27 high-demand or high-technology occupation, including  
6 28 fields of life sciences, advanced manufacturing,  
6 29 biotechnology, alternative fuels, insurance, and  
6 30 environmental technology. "High-demand occupation"  
6 31 means an occupation in a labor market area in which  
6 32 the department determines work opportunities are  
6 33 available and there is a lack of qualified  
6 34 applicants.>

6 35 #8. Page 26, by inserting after line 16 the  
6 36 following:

6 37 <Sec. 12. Section 135C.40, subsection 1, Code  
6 38 2007, is amended to read as follows:

6 39 1. If the director determines, based on the  
6 40 findings of an inspection or investigation of a health  
6 41 care facility, that the facility is in violation of  
6 42 this chapter, ~~or~~ rules adopted under this chapter, ~~or~~  
6 43 ~~the federal certification guidelines,~~ the director  
6 44 ~~within five ten~~ working days after ~~making the~~  
6 45 ~~determination completion of an on-site survey, may~~  
6 46 ~~shall issue a written citation all statements of~~  
6 47 ~~deficiencies, including any state citations issued to~~  
6 48 ~~the facility under rules adopted by the department.~~  
6 49 The citation shall be served upon the facility  
6 50 personally ~~or,~~ by electronic mail, ~~or~~ by certified  
7 1 mail, except that a citation for a Class III violation  
7 2 may be sent by ordinary mail. Each citation shall  
7 3 specifically describe the nature of the violation,  
7 4 identifying the Code section or subsection or the rule  
7 5 or standard violated, and the classification of the  
7 6 violation under section 135C.36. Where appropriate,  
7 7 the citation shall also state the period of time  
7 8 allowed for correction of the violation, which shall  
7 9 in each case be the shortest period of time the  
7 10 department deems feasible. Failure to correct a  
7 11 violation within the time specified, unless the  
7 12 licensee shows that the failure was due to  
7 13 circumstances beyond the licensee's control, shall  
7 14 subject the facility to a further penalty of fifty  
7 15 dollars for each day that the violation continues  
7 16 after the time specified for correction.

7 17 a. If a facility licensed under this chapter

7 18 submits a plan of correction relating to a statement  
7 19 of deficiencies or a response to a citation issued  
7 20 under rules adopted by the department and the  
7 21 department elects to conduct an on-site revisit  
7 22 survey, the department shall commence the revisit  
7 23 survey within ten business days of the date that the  
7 24 plan of correction is received, or the date specified  
7 25 within the plan of correction alleging compliance,  
7 26 whichever is later.  
7 27 b. If the department recommends the issuance of  
7 28 federal remedies pursuant to 42 C.F.R. } 488.406  
7 29 (a)(2) or (a)(3), relating to a survey conducted by  
7 30 the department, the department shall issue the  
7 31 statement of deficiencies within twenty-four hours of  
7 32 the date that the centers for Medicare and Medicaid  
7 33 services of the United States department of health and  
7 34 human services was notified of the recommendation for  
7 35 the imposition of remedies.>

7 36 #9. Page 29, by inserting after line 22 the  
7 37 following:

7 38 <Sec. 13. NEW SECTION. 231C.20 CITATIONS ==  
7 39 MONITORING VISITS.

7 40 1. All results of state monitoring visits,  
7 41 including complaint investigations or certification  
7 42 inspections conducted by the department pursuant to  
7 43 this chapter or rules adopted by the department shall  
7 44 be submitted by the department personally, by  
7 45 electronic mail, or by certified mail to the program  
7 46 no later than ten business days following completion  
7 47 of an on-site monitoring visit, if findings of  
7 48 noncompliance are cited.

7 49 2. If a program certified under this chapter  
7 50 submits a plan of correction relating to the statement  
8 1 of noncompliance or a response to a civil penalty  
8 2 issued under rules adopted by the department, and the  
8 3 department elects to conduct an on-site monitoring  
8 4 revisit, the department shall commence the monitoring  
8 5 revisit within ten business days of the date that the  
8 6 plan of correction is received, or the date specified  
8 7 within the plan of correction alleging compliance,  
8 8 whichever is later.>

8 9 #10. Page 29, by inserting after line 26 the  
8 10 following:

8 11 <Sec. 14. Section 280.7A, as enacted by 2008 Iowa  
8 12 Acts, Senate File 2251, section 1, is amended by  
8 13 adding the following new subsections:

8 14 NEW SUBSECTION. 4. A comprehensive vision  
8 15 screening by a certified vision screener provided by  
8 16 the school district shall be given within the first  
8 17 thirty days of the first day of the school year to  
8 18 students entering kindergarten, first grade, third  
8 19 grade, sixth grade, and eighth grade, and to transfer  
8 20 students and students referred for screening by a  
8 21 parent or teacher. A student shall be required to  
8 22 receive a comprehensive vision screening only once  
8 23 within a thirty-six month period.

8 24 NEW SUBSECTION. 5. A student who is not able to  
8 25 pass the comprehensive vision screening, pursuant to  
8 26 subsection 4, shall be required to have a  
8 27 comprehensive eye examination performed by a licensed  
8 28 optometrist, ophthalmologist, or physician trained in  
8 29 providing comprehensive eye care. A student's parent  
8 30 or guardian shall be responsible for ensuring that a  
8 31 student receives a comprehensive eye examination  
8 32 pursuant to this subsection. No penalty shall be  
8 33 imposed as a result of a student not receiving a  
8 34 recommended comprehensive eye examination.>

8 35 #11. Page 29, by inserting after line 26 the  
8 36 following:

8 37 <Sec. 15. Section 321A.3, subsections 1, 5, and 6,  
8 38 Code Supplement 2007, are amended to read as follows:

8 39 1. The department shall upon request furnish any  
8 40 person a certified abstract of the operating record of  
8 41 a person subject to chapter 321, 321J, or this  
8 42 chapter. The abstract shall also fully designate the  
8 43 motor vehicles, if any, registered in the name of the  
8 44 person. If there is no record of a conviction of the  
8 45 person having violated any law relating to the  
8 46 operation of a motor vehicle or of any injury or  
8 47 damage caused by the person, the department shall so  
8 48 certify. A fee of five dollars and fifty cents shall

8 49 be paid for each abstract except for state, county, or  
8 50 city officials, court officials, public transit  
9 1 officials, or other officials of a political  
9 2 subdivision of the state or a nonprofit charitable  
9 3 organization described in section 501(c)(3) of the  
9 4 Internal Revenue Code. The department shall transfer  
9 5 the moneys collected under this section to the  
9 6 treasurer of state who shall credit to the general  
9 7 fund all moneys collected.

9 8 5. ~~The department may permit any person to view~~  
9 9 ~~the operating record of a person subject to chapter~~  
9 10 ~~321 or this chapter through one of the department's~~  
9 11 ~~computer terminals or through a computer printout~~  
9 12 ~~generated by the department. The department shall not~~  
9 13 ~~require a fee for a person to view their own operating~~  
9 14 ~~record, but the department shall impose a fee of one~~  
9 15 ~~dollar for each of the first five operating records~~  
9 16 ~~viewed within a calendar day and two dollars for each~~  
9 17 ~~additional operating record viewed within the calendar~~  
9 18 ~~day.~~

9 19 6. Fees under ~~subsections subsection 1 and 5~~ may  
9 20 be paid by credit cards, as defined in section  
9 21 537.1301, subsection 17, approved for that purpose by  
9 22 the department of transportation. The department  
9 23 shall enter into agreements with financial  
9 24 institutions extending credit through the use of  
9 25 credit cards to ensure payment of the fees. The  
9 26 department shall adopt rules pursuant to chapter 17A  
9 27 to implement the provisions of this subsection.

9 28 Sec. 16. Section 321A.3, Code Supplement 2007, is  
9 29 amended by adding the following new subsection:

9 30 NEW SUBSECTION. 8. A person making a request for  
9 31 a record or an abstract under this section that is  
9 32 subject to a fee shall only use the record or abstract  
9 33 requested one time, for one purpose, and it shall not  
9 34 supply that record to more than one other person. Any  
9 35 subsequent use of the same record or abstract shall  
9 36 require that the person make a subsequent request for  
9 37 the record or abstract and pay an additional fee for  
9 38 the request in the same manner as provided for the  
9 39 initial request. A person requesting a record or an  
9 40 abstract pursuant to this section shall keep records  
9 41 identifying who the record or abstract is provided to,  
9 42 and the use of the record or abstract, for a period of  
9 43 five years. Records maintained pursuant to this  
9 44 subsection shall be made available to the department  
9 45 upon request. A person shall not sell, retain,  
9 46 distribute, provide, or transfer any record or  
9 47 abstract information or portion of the record or  
9 48 abstract information acquired under this agreement  
9 49 except as authorized by the department and the federal  
9 50 Driver's Privacy Protection Act, 18 U.S.C. }

10 1 2721=2725.>

10 2 [#12](#). Page 32, by inserting after line 33 the  
10 3 following:

10 4 <Sec. 17. Section 423B.1, subsection 6, Code  
10 5 Supplement 2007, is amended by adding the following  
10 6 new paragraph:

10 7 NEW PARAGRAPH. c. Notwithstanding any other  
10 8 provision in this section, a change in use of the  
10 9 local sales and services tax revenues for purposes of  
10 10 funding an urban renewal project pursuant to section  
10 11 423B.10 does not require an election.

10 12 Sec. 18. Section 423B.7, subsection 1, Code 2007,  
10 13 is amended to read as follows:

10 14 1. a. The Except as provided in paragraph "b",  
10 15 the director shall credit the local sales and services  
10 16 tax receipts and interest and penalties from a  
10 17 county-imposed tax to the county's account in the  
10 18 local sales and services tax fund and from a  
10 19 city-imposed tax under section 423B.1, subsection 2,  
10 20 to the city's account in the local sales and services  
10 21 tax fund. If the director is unable to determine from  
10 22 which county any of the receipts were collected, those  
10 23 receipts shall be allocated among the possible  
10 24 counties based on allocation rules adopted by the  
10 25 director.

10 26 b. Notwithstanding paragraph "a", the director  
10 27 shall credit the designated amount of the increase in  
10 28 local sales and services tax receipts, as computed in  
10 29 section 423B.10, collected in an urban renewal area of

10 30 an eligible city that has adopted an ordinance  
10 31 pursuant to section 423B.10, subsection 2, into a  
10 32 special city account in the local sales and services  
10 33 tax fund.

10 34 Sec. 19. Section 423B.7, Code 2007, is amended by  
10 35 adding the following new subsection:  
10 36 NEW SUBSECTION. 5A. From each special city  
10 37 account, the revenues shall be remitted to the city  
10 38 council for deposit in the special fund created in  
10 39 section 403.19, subsection 2, to be used by the city  
10 40 as provided in section 423B.10. The distribution from  
10 41 the special city account is not subject to the  
10 42 distribution formula provided in subsections 3, 4, and  
10 43 5.

10 44 Sec. 20. NEW SECTION. 423B.10 FUNDING URBAN  
10 45 RENEWAL PROJECTS.

10 46 1. For purposes of this section, unless the  
10 47 context otherwise requires:

10 48 a. "Base year" means the fiscal year during which  
10 49 an ordinance is adopted that provides for funding of  
10 50 an urban renewal project by a designated amount of the  
11 1 increased sales and services tax revenues.

11 2 b. "Eligible city" means a city in which a local  
11 3 sales and services tax imposed by the county applies  
11 4 or a city described in section 423B.1, subsection 2,  
11 5 paragraph "a", and in which an urban renewal area has  
11 6 been designated.

11 7 c. "Retail establishment" means a business  
11 8 operated by a retailer as defined in section 423.1.

11 9 d. "Urban renewal area" and "urban renewal  
11 10 project" mean the same as defined in section 403.17.

11 11 2. An eligible city may by ordinance of the city  
11 12 council provide for the use of a designated amount of  
11 13 the increased local sales and services tax revenues  
11 14 collected under this chapter which are attributable to  
11 15 retail establishments in an urban renewal area to fund  
11 16 urban renewal projects located in the area. The  
11 17 designated amount may be all or a portion of such  
11 18 increased revenues.

11 19 3. To determine the revenue increase for purposes  
11 20 of subsection 2, revenue amounts shall be calculated  
11 21 by the department of revenue as follows:

11 22 a. Determine the amount of local sales and  
11 23 services tax revenue collected from retail  
11 24 establishments located in the area comprising the  
11 25 urban renewal area during the base year.

11 26 b. Determine the current year revenue amount for  
11 27 each fiscal year following the base year in the manner  
11 28 specified in paragraph "a".

11 29 c. The excess of the amount determined in  
11 30 paragraph "b" over the base year revenue amount  
11 31 determined in paragraph "a" is the increase in the  
11 32 local sales and services tax revenues of which the  
11 33 designated amount is to be deposited in the special  
11 34 city account created in section 423B.7, subsection 5A.

11 35 4. The ordinance adopted pursuant to this section  
11 36 is repealed when the area ceases to be an urban  
11 37 renewal area or twenty years following the base year,  
11 38 whichever is the earlier.

11 39 5. In addition to the moneys received pursuant to  
11 40 the ordinance authorized under subsection 2, an  
11 41 eligible city may deposit any other local sales and  
11 42 services tax revenues received by it pursuant to the  
11 43 distribution formula in section 423B.7, subsections 3,  
11 44 4, and 5, to the special fund described in section  
11 45 403.19, subsection 2.

11 46 6. For purposes of this section, the eligible city  
11 47 shall assist the department of revenue in identifying  
11 48 retail establishments in the urban renewal area that  
11 49 are collecting the local sales and services tax. This  
11 50 process shall be ongoing until the ordinance is  
12 1 repealed.>

12 2 [#13](#). Page 34, by inserting after line 7 the  
12 3 following:

12 4 <Sec. 21. Section 423F.3, subsection 3, paragraph  
12 5 c, as enacted by 2008 Iowa Acts, House File 2663,  
12 6 section 29, if enacted, is amended to read as follows:

12 7 c. The board secretary shall notify the county  
12 8 commissioner of elections of the intent to take the  
12 9 issue to the voters. The county commissioner of  
12 10 elections shall publish the notices required by law

12 11 for special or general elections, and the election  
12 12 shall be held ~~not sooner than thirty days nor later~~  
~~12 13 than forty days after notice from the school board on~~  
~~12 14 a date specified in section 39.2, subsection 4,~~  
12 15 paragraph "c". A majority of those voting on the  
12 16 question must favor approval of the revenue purpose  
12 17 statement. If the proposal is not approved, the  
12 18 school district shall not submit the same or new  
12 19 revenue purpose statement to the electors for a period  
12 20 of six months from the date of the previous election.>  
12 21 #14. Page 35, by inserting after line 20 the  
12 22 following:

12 23 <Sec. 22. Section 441.38, subsection 1, Code 2007,  
12 24 is amended to read as follows:

12 25 1. Appeals may be taken from the action of the  
12 26 local board of review with reference to protests of  
12 27 assessment, to the district court of the county in  
12 28 which the board holds its sessions within twenty days  
12 29 after its adjournment or May 31, whichever date is  
12 30 later. Appeals may be taken from the action of the  
12 31 property assessment appeal board to the district court  
12 32 of the county where the property which is the subject  
12 33 of the appeal is located within twenty days after the  
12 34 letter of disposition of the appeal by the property  
12 35 assessment appeal board is postmarked to the  
12 36 appellant. No new grounds in addition to those set  
12 37 out in the protest to the local board of review as  
12 38 provided in section 441.37, or in addition to those  
12 39 set out in the appeal to the property assessment  
12 40 appeal board, if applicable, can be pleaded, ~~but~~  
~~12 41 additional.~~ Additional evidence to sustain those  
12 42 grounds may be introduced in an appeal from the local  
12 43 board of review to the district court. However, no  
12 44 new evidence to sustain those grounds may be  
12 45 introduced in an appeal from the property assessment  
12 46 appeal board to the district court. The assessor  
12 47 shall have the same right to appeal and in the same  
12 48 manner as an individual taxpayer, public body, or  
12 49 other public officer as provided in section 441.42.  
12 50 Appeals shall be taken by filing a written notice of  
13 1 appeal with the clerk of district court. Filing of  
13 2 the written notice of appeal shall preserve all rights  
13 3 of appeal of the appellant.>

13 4 #15. By striking page 43, line 25, through page  
13 5 45, line 5.

13 6 #16. Page 45, by inserting before line 6 the  
13 7 following:

13 8 <Sec. 23. 2007 Iowa Acts, chapter 206, section 6,  
13 9 unnumbered paragraph 3, is amended to read as follows:

13 10 Notwithstanding section 8.33, moneys appropriated  
13 11 in this section that remain unencumbered or  
13 12 unobligated at the close of the fiscal year shall not  
13 13 revert but shall remain available for expenditure for  
13 14 the purposes designated until the close of the  
13 15 ~~succeeding~~ fiscal year beginning July 1, 2008.>

13 16 #17. Page 45, by inserting after line 19 the  
13 17 following:

13 18 <Sec. 24. MEDICAL ASSISTANCE == APPROPRIATION.

13 19 There is appropriated from the general fund of the  
13 20 state to the department of human services for the  
13 21 fiscal year beginning July 1, 2008, and ending June  
13 22 30, 2009, the following amount, or so much thereof as  
13 23 is necessary, for the purpose designated:

13 24 Notwithstanding the reimbursement provisions in  
13 25 2008 Iowa Acts, Senate File 2425, if enacted, or any  
13 26 other provision requiring budget neutrality in setting  
13 27 hospital reimbursement rates, as additional funding  
13 28 for the medical assistance program to be used for the  
13 29 rebasing of hospital reimbursement rates under the  
13 30 medical assistance program:

13 31 ..... \$ 5,500,000>

13 32 #18. Page 46, by inserting after line 7 the  
13 33 following:

13 34 <Sec. 25. 2008 Iowa Acts, House File 2699, section  
13 35 4, subsection 3, if enacted, is amended by adding the  
13 36 following new paragraph:

13 37 NEW PARAGRAPH. e. The department of economic  
13 38 development shall coordinate with the department of  
13 39 natural resources, the Iowa finance authority, and the  
13 40 United States department of agriculture in maximizing  
13 41 community development block grants and loans available

13 42 for water, wastewater, and unsewered communities. It  
13 43 is the intent of the general assembly that the  
13 44 department recognize and provide the appropriate level  
13 45 of funding needed for wastewater and sewer projects in  
13 46 communities with populations of 200 persons or less.  
13 47 Sec. 26. 2008 Iowa Acts, House File 2699, section  
13 48 16, subsection 4, if enacted, is amended by striking  
13 49 the subsection and inserting in lieu thereof the  
13 50 following:

14 1 4. STATEWIDE STANDARD SKILLS ASSESSMENT  
14 2 For development and administration of a statewide  
14 3 standard skills assessment to assess the employability  
14 4 skills of adult workers statewide and to provide  
14 5 instruction to department staff in the administration  
14 6 of the assessment in accordance with section 84A.5,  
14 7 subsection 1, as amended by the Eighty-second General  
14 8 Assembly, 2008 Session:  
14 9 ..... \$ 500,000>  
14 10 #19. Page 46, by inserting after line 7 the  
14 11 following:

14 12 <Sec. 27. HEALTHY IOWANS TOBACCO TRUST ==  
14 13 APPROPRIATION == TOBACCO USE PREVENTION AND TREATMENT.  
14 14 There is appropriated from the healthy Iowans tobacco  
14 15 trust created in section 12.65 to the department of  
14 16 public health for the fiscal year beginning July 1,  
14 17 2008, and ending June 30, 2009, the following amount,  
14 18 or so much thereof as is necessary, for the purpose  
14 19 designated:  
14 20 For tobacco use prevention, cessation, and  
14 21 treatment, in addition to other appropriations made  
14 22 for this purpose:  
14 23 ..... \$ 1,000,000  
14 24 Sec. 28. DEPARTMENT OF HUMAN SERVICES == SHELTER  
14 25 CARE. There is appropriated from the general fund of  
14 26 the state to the department of human services for the  
14 27 fiscal year beginning July 1, 2008, and ending June  
14 28 30, 2009, the following amount, or so much thereof as  
14 29 is necessary, to be used for the purposes designated:  
14 30 For supplementing the appropriation made for child  
14 31 and family services in 2008 Iowa Acts, Senate File  
14 32 2425, if enacted, to be used to increase the amount  
14 33 allocated in that appropriation for shelter care to  
14 34 \$8,072,215:  
14 35 ..... \$ 1,000,000  
14 36 Sec. 29. INTERPRETERS FOR THE DEAF. There is  
14 37 appropriated from the general fund of the state to the  
14 38 department of education for the fiscal year beginning  
14 39 July 1, 2008, and ending June 30, 2009, the following  
14 40 amount, or so much thereof as is necessary, to be used  
14 41 for the purpose designated:  
14 42 Due to the high numbers of articulation agreements  
14 43 between the state school for the deaf and Iowa western  
14 44 community college, for allocation for arrangements  
14 45 made between the state school for the deaf and Iowa  
14 46 western community college for deaf interpreters:  
14 47 ..... \$ 200,000  
14 48 Sec. 30. UNITED STATES CENTER FOR CITIZEN  
14 49 DIPLOMACY. There is appropriated from the general  
14 50 fund of the state to the department of economic  
15 1 development for the fiscal year beginning July 1,  
15 2 2008, and ending June 30, 2009, the following amount,  
15 3 or so much thereof as is necessary, to be used for the  
15 4 purposes designated:  
15 5 For a grant to support the United States center for  
15 6 citizen diplomacy:  
15 7 ..... \$ 150,000  
15 8 The director of the department of economic  
15 9 development shall condition the grant upon the grantee  
15 10 submitting all of the following: evidence of a  
15 11 matching amount from nongovernmental sources received  
15 12 during calendar year 2008, a financial plan for  
15 13 program sustainability, evidence that the center's  
15 14 principal place of business is in this state, and  
15 15 agreement to submit quarterly reports demonstrating  
15 16 that the center's programs are directed to assisting  
15 17 the citizens of this state and beyond in promoting  
15 18 citizen diplomacy through individual, educational,  
15 19 business, and cultural efforts. The director shall  
15 20 submit the reports required under this section to the  
15 21 governor and the legislative council.  
15 22 Sec. 31. DEPARTMENT OF NATURAL RESOURCES. There

15 23 is appropriated from any interest or earning moneys in  
15 24 the federal economic stimulus and jobs holding fund to  
15 25 the department of natural resources for the fiscal  
15 26 year beginning July 1, 2008, and ending June 30, 2009,  
15 27 the following amounts, or so much thereof as is  
15 28 necessary, to be used for the purposes designated:  
15 29 For the abatement, control, and prevention of  
15 30 ambient air pollution in this state, including  
15 31 measures as necessary to assure attainment and  
15 32 maintenance of ambient air quality standards from  
15 33 particulate matter:  
15 34 ..... \$ 195,000>  
15 35 #20. Page 46, by inserting after line 12 the  
15 36 following:  
15 37 <Sec. 32. DEPARTMENT OF CULTURAL AFFAIRS == BATTLE  
15 38 FLAG EMPLOYEES. The department of cultural affairs is  
15 39 authorized an additional 1.50 full-time equivalent  
15 40 positions for a conservation assistant and a part-time  
15 41 historian for work related to the stabilization and  
15 42 preservation of the battle flag collection.>  
15 43 #21. Page 47, by inserting after line 18 the  
15 44 following:  
15 45 <Sec. 33. EFFECTIVE DATE. The section of this  
15 46 division of this Act amending 2007 Iowa Acts, chapter  
15 47 206, section 6, being deemed of immediate importance,  
15 48 takes effect upon enactment.>  
15 49 #22. Page 56, by inserting after line 2 the  
15 50 following:  
16 1 <Sec. 34. Section 100C.6, subsection 3, as enacted  
16 2 by 2008 Iowa Acts, House File 2646, section 1, is  
16 3 amended to read as follows:  
16 4 3. Relieve any person engaged in fire sprinkler  
16 5 installation, maintenance, repair, service, or  
16 6 inspection as defined in section 100D.1 from obtaining  
16 7 a fire sprinkler installer ~~or fire sprinkler and~~  
16 8 maintenance worker license as required pursuant to  
16 9 chapter 100D.>  
16 10 #23. Page 58, line 25, by striking the words and  
16 11 figure <Sec. 106. NEW SECTION.>.  
16 12 #24. Page 61, by inserting after line 24 the  
16 13 following:  
16 14 <Sec. 35. 2008 Iowa Acts, House File 2689, section  
16 15 35, if enacted, is amended by striking the section and  
16 16 inserting in lieu thereof the following:  
16 17 SEC. \_\_\_\_ . EFFECTIVE DATE. This division of this  
16 18 Act takes effect January 1, 2009.>  
16 19 #25. Page 62, by inserting after line 29 the  
16 20 following:  
16 21 <Sec. 36. 2008 Iowa Acts, Senate File 2432,  
16 22 section 1, subsection 5, paragraph c, if enacted, is  
16 23 amended to read as follows:  
16 24 <c. For equal distribution to regional sports  
16 25 authority districts certified by the department  
16 26 pursuant to section 15E.321, notwithstanding section  
16 27 8.57, subsection 6, paragraph "c":  
16 28 ..... \$ 500,000  
16 29 Sec. 37. 2008 Iowa Acts, Senate File 2432, section  
16 30 1, subsection 9, paragraph a, if enacted, is amended  
16 31 to read as follows:  
16 32 a. For purposes of supporting a water trails  
16 33 development program and a lowhead dam public hazard  
16 34 improvement program, notwithstanding section 8.57,  
16 35 subsection 6, paragraph "c":  
16 36 ..... \$ 1,000,000  
16 37 The department shall award grants to dam owners  
16 38 including counties, cities, state agencies,  
16 39 cooperatives, and individuals, to support projects  
16 40 approved by the department.  
16 41 The department shall require each dam owner  
16 42 applying for a project grant to submit a project plan  
16 43 for the expenditure of the moneys, and file a report  
16 44 with the department regarding the project, as required  
16 45 by the department.  
16 46 The funds can be used for signs, posts, and related  
16 47 cabling, and the department shall only award money on  
16 48 a matching basis, pursuant to the dam owner  
16 49 contributing at least 20 cents for every 80 cents  
16 50 awarded by the department, in order to finance the  
17 1 project. For the remainder of the funds, including  
17 2 any balance of money not awarded for signs, posts, and  
17 3 related cabling, the department shall only award

17 4 moneys to a dam owner on a matching basis. A dam  
17 5 owner shall contribute one dollar for each dollar  
17 6 awarded by the department in order to finance a  
17 7 project moneys for the water trails development  
17 8 program or to the lowhead dam public hazard  
17 9 improvement program on a matching basis according to  
17 10 departmental rules.>

17 11 #26. Page 62, by inserting after line 29 the  
17 12 following:

17 13 <DIVISION \_\_\_\_  
17 14 ANIMAL AGRICULTURE

17 15 Sec. 38. Section 459.102, subsection 4, Code 2007,  
17 16 is amended to read as follows:

17 17 4. "Animal feeding operation" means a lot, yard,  
17 18 corral, building, or other area in which animals are  
17 19 confined and fed and maintained for forty-five days or  
17 20 more in any twelve-month period, and all structures  
17 21 used for the storage of manure from animals in the  
17 22 operation. ~~At~~ Except as required for a national

17 23 pollutant discharge elimination system permit required  
17 24 pursuant to the federal Water Pollution Control Act,  
17 25 33 U.S.C. ch. 26, as amended, an animal feeding  
17 26 operation does not include a livestock market.

17 27 Sec. 39. Section 459A.103, subsection 3, Code  
17 28 2007, is amended to read as follows:

17 29 3. a. In calculating the animal unit capacity of  
17 30 an open feedlot operation, the animal unit capacity  
17 31 shall not include the animal unit capacity of any  
17 32 confinement feeding operation building as defined in  
17 33 section 459.102, which is part of the open feedlot  
17 34 operation.

17 35 b. Notwithstanding paragraph "a", only for  
17 36 purposes of determining whether an open feedlot  
17 37 operation must obtain an operating permit, the animal  
17 38 unit capacity of the animal feeding operation includes  
17 39 the animal unit capacities of both the open feedlot  
17 40 operation and the confinement feeding operation if the  
17 41 animals in the open feedlot operation and the  
17 42 confinement feeding operation are all in the same  
17 43 category or type of animals as used in the definitions  
17 44 of large and medium concentrated animal feeding  
17 45 operations in 40 C.F.R. pt. 122. In all other  
17 46 respects the confinement feeding operation shall be  
17 47 governed by chapter 459 and the open feedlot operation  
17 48 shall be governed by this chapter.

17 49 Sec. 40. Section 459A.401, subsection 2, paragraph  
17 50 a, unnumbered paragraph 1, Code Supplement 2007, is  
18 1 amended to read as follows:

18 2 An open feedlot operation in compliance with the  
18 3 inspection and recordkeeping requirements of 40 C.F.R.  
18 4 pt. 122 and 40 C.F.R. pt. 412 applicable to the

18 5 operation may discharge open feedlot effluent into any  
18 6 waters of the United States due to a precipitation  
18 7 event, if any of the following apply:

18 8 Sec. 41. COMPLIANCE EDUCATION EFFORT. The  
18 9 department of natural resources shall provide for a  
18 10 compliance education effort. In administering the  
18 11 effort, the department, in cooperation with  
18 12 associations that represent livestock producers and  
18 13 organizations that represent farmers generally, shall  
18 14 provide information on a statewide basis to persons  
18 15 involved with maintaining animals in a confinement  
18 16 feeding operation or open feedlot operation regarding  
18 17 methods and practices to ensure compliance with this  
18 18 Act.

18 19 Sec. 42. APPLICABILITY AND ENFORCEMENT.

18 20 1. A person required to obtain an operating permit  
18 21 for an animal feeding operation by the department of  
18 22 natural resources pursuant to 567 IAC ch. 65, and  
18 23 section 459.102, subsection 4, as amended by this  
18 24 division of this Act, or section 459A.103, subsection  
18 25 3, as amended by this division of this Act, shall  
18 26 submit an application for the operating permit to the  
18 27 department of natural resources on or before December  
18 28 31, 2008. The application for the operating permit  
18 29 must be complete, including all information required  
18 30 to be included in the application according to rules  
18 31 adopted by the department.

18 32 2. a. The state shall not take an enforcement  
18 33 action against a person arising from the person's  
18 34 failure to obtain an operating permit by the

18 35 department of natural resources as required pursuant  
18 36 to this division of this Act if the person's  
18 37 application for the operating permit application is  
18 38 pending in accordance with subsection 1.

18 39 b. The state shall not take an enforcement action  
18 40 against a person arising from the person's failure to  
18 41 obtain an operating permit as required pursuant to  
18 42 this division of this Act for the period beginning on  
18 43 the day when the department of natural resources  
18 44 denies the person's application for the operation  
18 45 permit and ending on the thirtieth day after the  
18 46 person receives written notice that such application  
18 47 has been denied.

18 48 Sec. 43. EFFECTIVE DATE.

18 49 1. Except as provided in subsection 2, this  
18 50 division of this Act takes effect on December 31,  
19 1 2008.

19 2 2. The section of this division of this Act  
19 3 establishing a compliance education effort takes  
19 4 effect upon enactment.

19 5 DIVISION \_\_\_\_\_  
19 6 RETIREMENT FOR SENIOR JUDGES

19 7 Sec. 44. Section 602.9202, Code 2007, is amended  
19 8 by adding the following new subsection:

19 9 NEW SUBSECTION. 3A. "Senior judge retirement age"  
19 10 means seventy-eight years of age or, if the senior  
19 11 judge is reappointed as a senior judge for an  
19 12 additional two-year term upon attaining seventy-eight  
19 13 years of age pursuant to section 602.9203, eighty  
19 14 years of age.

19 15 Sec. 45. Section 602.9203, subsection 5, Code  
19 16 2007, is amended to read as follows:

19 17 5. a. A senior judge may be reappointed to  
19 18 additional two-year terms, at the discretion of the  
19 19 supreme court, if the judicial officer meets the  
19 20 requirements of subsection 2.

19 21 b. A senior judge may be reappointed to an  
19 22 additional two-year term upon attaining seventy-eight  
19 23 years of age, at the discretion of the supreme court,  
19 24 if the judicial officer meets the requirements of  
19 25 subsection 2.

19 26 Sec. 46. Section 602.9204, subsection 1, Code  
19 27 2007, is amended to read as follows:

19 28 1. A judge who retires on or after July 1, 1994,  
19 29 and who is appointed a senior judge under section  
19 30 602.9203 shall be paid a salary as determined by the  
19 31 general assembly. A senior judge or retired senior  
19 32 judge shall be paid an annuity under the judicial  
19 33 retirement system in the manner provided in section  
19 34 602.9109, but computed under this section in lieu of  
19 35 section 602.9107, as follows: The annuity paid to a  
19 36 senior judge or retired senior judge shall be an  
19 37 amount equal to the applicable percentage multiplier  
19 38 of the basic senior judge salary, multiplied by the  
19 39 judge's years of service prior to retirement as a  
19 40 judge of one or more of the courts included under this  
19 41 article, for which contributions were made to the  
19 42 system, except the annuity of the senior judge or  
19 43 retired senior judge shall not exceed an amount equal  
19 44 to the applicable specified percentage of the basic  
19 45 senior judge salary used in calculating the annuity.  
19 46 However, following the twelve-month period during  
19 47 which the senior judge or retired senior judge attains  
19 48 ~~seventy-eight years of senior judge retirement age,~~  
19 49 the annuity paid to the person shall be an amount  
19 50 equal to the applicable percentage multiplier of the  
20 1 basic senior judge salary cap, multiplied by the  
20 2 judge's years of service prior to retirement as a  
20 3 judge of one or more of the courts included under this  
20 4 article, for which contributions were made to the  
20 5 system, except that the annuity shall not exceed an  
20 6 amount equal to the applicable specified percentage of  
20 7 the basic senior judge salary cap. A senior judge or  
20 8 retired senior judge shall not receive benefits  
20 9 calculated using a basic senior judge salary  
20 10 established after the twelve-month period in which the  
20 11 senior judge or retired senior judge attains  
20 12 ~~seventy-eight years of senior judge retirement age.~~  
20 13 The state shall provide, regardless of age, to an  
20 14 active senior judge or a senior judge with six years  
20 15 of service as a senior judge and to the judge's

20 16 spouse, and pay for medical insurance until the judge  
20 17 attains ~~the senior judge retirement age of~~  
~~20 18 seventy-eight years.~~

20 19 Sec. 47. Section 602.9204, subsection 2,  
20 20 paragraphs d and e, Code 2007, is amended to read as  
20 21 follows:

20 22 d. "Basic senior judge salary cap" means the basic  
20 23 senior judge salary, at the end of the twelve-month  
20 24 period during which the senior judge or retired senior  
20 25 judge attained ~~seventy-eight years of senior judge~~  
~~20 26 retirement~~ age, of the office in which the person last  
20 27 served as a judge before retirement as a judge or  
20 28 senior judge.

20 29 e. "Escalator" means the difference between the  
20 30 current basic salary, as of the time each payment is  
20 31 made up to and including the twelve-month period  
20 32 during which the senior judge or retired senior judge  
20 33 attains ~~seventy-eight years of senior judge retirement~~  
20 34 age, of the office in which the senior judge last  
20 35 served as a judge before retirement as a judge or  
20 36 senior judge, and the basic annual salary which the  
20 37 judge is receiving at the time the judge becomes  
20 38 separated from full-time service as a judge of one or  
20 39 more of the courts included in this article, as would  
20 40 be used in computing an annuity pursuant to section  
20 41 602.9107 without service as a senior judge.

20 42 Sec. 48. Section 602.9207, subsection 1, Code  
20 43 2007, is amended to read as follows:

20 44 1. A senior judge shall cease to be a senior judge  
20 45 upon completion of the twelve-month period during  
20 46 which the judge attains ~~seventy-eight years of senior~~  
~~20 47 judge retirement~~ age. The clerk of the supreme court  
20 48 shall make a notation of the retirement of a senior  
20 49 judge in the roster of senior judges, at which time  
20 50 the senior judge shall become a retired senior judge.

21 1 Sec. 49. Section 602.9208, subsection 1, Code  
21 2 2007, is amended to read as follows:

21 3 1. A senior judge, at any time prior to the end of  
21 4 the twelve-month period during which the judge attains  
21 5 ~~seventy-eight years of senior judge retirement~~ age,  
21 6 may submit to the clerk of the supreme court a written  
21 7 request that the judge's name be stricken from the  
21 8 roster of senior judges. Upon the receipt of the  
21 9 request the clerk shall strike the name of the person  
21 10 from the roster of senior judges, at which time the  
21 11 person shall cease to be a senior judge. A person who  
21 12 relinquishes a senior judgeship as provided in this  
21 13 subsection may be assigned to temporary judicial  
21 14 duties as provided in section 602.1612.

#### 21 15 DIVISION \_\_\_\_\_

#### 21 16 CORE CURRICULUM FOR SCHOOLS

21 17 Sec. 50. Section 256.7, subsection 26, Code  
21 18 Supplement 2007, as amended by 2008 Iowa Acts, Senate  
21 19 File 2216, section 1, is amended to read as follows:

21 20 26. a. Adopt rules that establish a core  
21 21 curriculum and requiring, beginning with the students  
21 22 in the 2010==2011 school year graduating class, high  
21 23 school graduation requirements for all students in  
21 24 school districts and accredited nonpublic schools that  
21 25 include at a minimum satisfactory completion of four  
21 26 years of English and language arts, three years of  
21 27 mathematics, three years of science, and three years  
21 28 of social studies. The core curriculum adopted shall  
21 29 address the core content standards in subsection 28  
21 30 and the skills and knowledge students need to be  
21 31 successful in the twenty-first century. The core  
21 32 curriculum shall include social studies and  
21 33 twenty-first century learning skills which include but  
21 34 are not limited to civic literacy, health literacy,  
21 35 technology literacy, financial literacy, and  
21 36 employability skills; and shall address the curricular  
21 37 needs of students in kindergarten through grade twelve  
21 38 in those areas. ~~For purposes of this subsection,~~  
~~21 39 "financial literacy" shall include but not be limited~~  
~~21 40 to financial responsibility and planning skills; money~~  
~~21 41 management skills, including setting financial goals,~~  
~~21 42 creating spending plans, and using financial~~  
~~21 43 instruments; applying decision-making skills to~~  
~~21 44 analyze debt incurrence and debt management;~~  
~~21 45 understanding risk management, including the features~~  
~~21 46 and functions of insurance; and understanding saving~~

~~21 47 and investing as applied to long-term financial  
21 48 security and asset building. The department shall  
21 49 further define the twenty-first century learning  
21 50 skills components by rule.~~

22 1 b. Continue the inclusive process begun during the  
22 2 initial development of a core curriculum for grades  
22 3 nine through twelve including stakeholder involvement,  
22 4 including but not limited to representatives from the  
22 5 private sector and the business community, and  
22 6 alignment of the core curriculum to other recognized  
22 7 sets of national and international standards. The  
22 8 state board shall also recommend quality assessments  
22 9 to school districts and accredited nonpublic schools  
22 10 to measure the core curriculum.

~~22 11 The state board shall not require school districts  
22 12 or accredited nonpublic schools to adopt a specific  
22 13 textbook or textbook series to meet the core  
22 14 curriculum requirements of Neither the state board nor  
22 15 the department shall require school districts or  
22 16 accredited nonpublic schools to adopt a specific  
22 17 textbook, textbook series, or specific instructional  
22 18 methodology, or acquire specific textbooks, curriculum  
22 19 materials, or educational products from a specific  
22 20 vendor in order to meet the core curriculum  
22 21 requirements of this subsection or the core content  
22 22 standards adopted pursuant to subsection 28.~~

22 23 Sec. 51. Section 256.9, subsection 57, as enacted  
22 24 by 2008 Iowa Acts, section 2, is amended to read as  
22 25 follows:

22 26 57. a. Develop and distribute, in collaboration  
22 27 with the area education agencies, core curriculum  
22 28 technical assistance and implementation strategies  
22 29 that school districts and accredited nonpublic schools  
22 30 ~~may shall~~ utilize, including but not limited to the  
22 31 development and delivery of formative and  
22 32 end-of-course model assessments classroom teachers ~~can~~  
22 33 ~~may~~ use to measure student progress on the core  
22 34 curriculum adopted pursuant to section 256.7,  
22 35 subsection 26. The department shall ~~continue to~~  
22 36 ~~collaborate with Iowa testing programs on the~~  
22 37 ~~development of, in collaboration with the advisory~~  
22 38 ~~group convened in accordance with paragraph "b" and~~  
22 39 ~~educational assessment providers, identify and make~~  
22 40 ~~available to school districts end-of-course and~~  
22 41 ~~additional model end-of-course and additional~~  
22 42 ~~assessments to align with the expectations included in~~  
22 43 ~~the Iowa core curriculum. The model assessments shall~~  
22 44 ~~be suitable to meet the multiple assessment measures~~  
22 45 ~~requirement specified in section 256.7, subsection 21,~~  
22 46 ~~paragraph "c".~~

22 47 b. Convene an advisory group comprised of  
22 48 education stakeholders including but not limited to  
22 49 school district and accredited nonpublic school  
22 50 teachers, school administrators, higher education  
23 1 faculty who teach in the subjects for which the  
23 2 curriculum is being adopted, private sector employers,  
23 3 members of the boards of directors of school  
23 4 districts, and individuals representing the  
23 5 educational assessment providers. The task force  
23 6 shall review the national assessment of educational  
23 7 progress standards and assessments used by other  
23 8 states, and shall consider standards identified as  
23 9 best practices in the field of study by the national  
23 10 councils of teachers of English and mathematics, the  
23 11 national council for the social studies, the national  
23 12 science teachers association, and other recognized  
23 13 experts.

23 14 Sec. 52. Section 257.11, Code Supplement 2007, is  
23 15 amended by adding the following new subsection:

23 16 NEW SUBSECTION. 8A. A school district shall  
23 17 ensure that any course made available to a student  
23 18 through any sharing agreement between the school  
23 19 district and a community college or any other entity  
23 20 providing course programming pursuant to this section  
23 21 to students enrolled in the school district meets the  
23 22 expectations contained in the core curriculum adopted  
23 23 pursuant to section 256.7, subsection 26. The school  
23 24 district shall ensure that any course that has the  
23 25 capacity to generate college credit shall be  
23 26 equivalent to college-level work.

23 27 Sec. 53. Section 280.2, Code 2007, is amended to

23 28 read as follows:

23 29 280.2 DEFINITIONS.

23 30 The term "public school" means any school directly  
23 31 supported in whole or in part by taxation. The term  
23 32 "nonpublic school" means any other school which is  
23 33 accredited ~~or which uses licensed practitioners as~~  
23 34 ~~instructors pursuant to section 256.11.~~

23 35 Sec. 54. 2008 Iowa Acts, Senate File 2216, section  
23 36 6, is amended to read as follows:

23 37 SEC. 6. DEPARTMENT OF EDUCATION == CORE CURRICULUM  
23 38 STUDY. The department of education shall conduct a  
23 39 study of the measures necessary for the successful  
23 40 adoption by the state's school districts and  
23 41 accredited nonpublic schools of core curriculums and  
23 42 core content standards established by rule pursuant to  
23 43 section 256.7, subsections 26 and 28. The study shall

23 44 include an examination of the possible future  
23 45 expansion of the core curriculum to include content  
23 46 areas not currently included under section 256.7.

23 47 subsection 26, including but not limited to fine arts,  
23 48 applied arts, humanities, and world languages. The

23 49 department shall submit its findings and  
23 50 recommendations, including recommendations for  
24 1 statutory and administrative rule changes necessary,  
24 2 to the general assembly by November 14, 2008.

24 3 DIVISION \_\_\_\_  
24 4 PUBLIC INFORMATION BOARD == APPROPRIATION

24 5 Sec. 55. Section 21.6, subsection 3, paragraph a,  
24 6 subparagraph (3), Code 2007, is amended to read as  
24 7 follows:

24 8 (3) Reasonably relied upon a decision of a court,  
24 9 ~~or~~ a formal opinion of the Iowa public information  
24 10 board, the attorney general, or the attorney for the  
24 11 governmental body, given in writing, or as  
24 12 memorialized in the minutes of the meeting at which a  
24 13 formal oral opinion was given, or an advisory opinion  
24 14 of the Iowa public information board, the attorney  
24 15 general, or the attorney for the governmental body,  
24 16 given in writing.

24 17 Sec. 56. Section 21.6, subsection 3, paragraph d,  
24 18 Code 2007, is amended to read as follows:

24 19 d. Shall issue an order removing a member of a  
24 20 governmental body from office if that member has  
24 21 engaged in a prior violation of this chapter for which  
24 22 damages were assessed against the member during the  
24 23 member's term. In making this determination, the  
24 24 court shall recognize violations for which damages  
24 25 were assessed by the Iowa public information board  
24 26 created in section 23.3.

24 27 Sec. 57. Section 22.10, subsection 3, paragraphs b  
24 28 and d, Code 2007, are amended to read as follows:

24 29 b. Shall assess the persons who participated in  
24 30 its violation damages in the amount of not more than  
24 31 five hundred dollars nor less than one hundred  
24 32 dollars. These damages shall be paid by the court  
24 33 imposing them to the state of Iowa if the body in  
24 34 question is a state government body, or to the local  
24 35 government involved if the body in question is a local  
24 36 government body. A person found to have violated this  
24 37 chapter shall not be assessed such damages if that  
24 38 person proves that the person either voted against the  
24 39 action violating this chapter, refused to participate  
24 40 in the action violating this chapter, or engaged in  
24 41 reasonable efforts under the circumstances to resist  
24 42 or prevent the action in violation of this chapter;  
24 43 had good reason to believe and in good faith believed  
24 44 facts which, if true, would have indicated compliance  
24 45 with the requirements of this chapter; or reasonably  
24 46 relied upon a decision of a court ~~or an a formal~~  
24 47 opinion of the Iowa public information board, the  
24 48 attorney general or the attorney for the government  
24 49 body, given in writing or as memorialized in the  
24 50 minutes of the meeting at which a formal oral opinion  
25 1 was given, or an advisory opinion of the Iowa public  
25 2 information board, the attorney general, or the  
25 3 attorney for the government body, given in writing.

25 4 d. Shall issue an order removing a person from  
25 5 office if that person has engaged in a prior violation  
25 6 of this chapter for which damages were assessed  
25 7 against the person during the person's term. In  
25 8 making this determination, the court shall recognize

25 9 violations for which damages were assessed by the Iowa  
25 10 public information board created in section 23.3.

25 11 Sec. 58. NEW SECTION. 23.1 CITATION AND PURPOSE.  
25 12 This chapter may be cited as the "Iowa Public  
25 13 Information Board Act". The purpose of this chapter  
25 14 is to provide an alternative means by which to secure  
25 15 compliance with and enforcement of the requirements of  
25 16 chapters 21 and 22 through the provision by the Iowa  
25 17 public information board to all interested parties of  
25 18 an efficient, informal, and cost-effective process for  
25 19 resolving disputes.

25 20 Sec. 59. NEW SECTION. 23.2 DEFINITIONS.

25 21 1. "Board" means the Iowa public information board  
25 22 created in section 23.3.

25 23 2. "Complainant" means a person who files a  
25 24 complaint with the board.

25 25 3. "Complaint" means a written and signed document  
25 26 filed with the board alleging a violation of chapter  
25 27 21 or 22.

25 28 4. "Custodian" means a government body, government  
25 29 official, or government employee designated as the  
25 30 lawful custodian of a government record pursuant to  
25 31 section 22.1.

25 32 5. "Government body" means the same as defined in  
25 33 section 22.1.

25 34 6. "Person" means an individual, partnership,  
25 35 association, corporation, legal representative,  
25 36 trustee, receiver, custodian, government body, or  
25 37 official, employee, agency, or political subdivision  
25 38 of this state.

25 39 7. "Respondent" means any agency or other unit of  
25 40 state or local government, custodian, government  
25 41 official, or government employee who is the subject of  
25 42 a complaint.

25 43 Sec. 60. NEW SECTION. 23.3 BOARD APPOINTED.

25 44 1. An Iowa public information board is created  
25 45 consisting of five members appointed by the governor,  
25 46 subject to confirmation by the senate. Membership  
25 47 shall be balanced as to political affiliation as  
25 48 provided in section 69.16 and gender as provided in  
25 49 section 69.16A. Members appointed to the board shall  
25 50 serve staggered, four-year terms, beginning and ending  
26 1 as provided by section 69.19. A quorum shall consist  
26 2 of three members.

26 3 2. A vacancy on the board shall be filled by the  
26 4 governor by appointment for the unexpired part of the  
26 5 term. A board member may be removed from office by  
26 6 the governor for good cause. The board shall select  
26 7 one of its members to serve as chair and shall employ  
26 8 a director who shall serve as the executive officer of  
26 9 the board.

26 10 Sec. 61. NEW SECTION. 23.4 COMPENSATION AND  
26 11 EXPENSES.

26 12 Board members shall be paid a per diem as specified  
26 13 in section 7E.6 and shall be reimbursed for actual and  
26 14 necessary expenses incurred while on official board  
26 15 business. Per diem and expenses shall be paid from  
26 16 funds appropriated to the board.

26 17 Sec. 62. NEW SECTION. 23.5 ELECTION OF REMEDIES.

26 18 1. An aggrieved person, any taxpayer to or citizen  
26 19 of this state, the attorney general, or any county  
26 20 attorney may seek enforcement of the requirements of  
26 21 chapters 21 and 22 by electing either to file an  
26 22 action pursuant to section 17A.19, 21.6, or 22.10,  
26 23 whichever is applicable, or in the alternative, to  
26 24 file a timely complaint with the board.

26 25 2. If more than one person seeks enforcement of  
26 26 chapter 21 or 22 with respect to the same incident  
26 27 involving an alleged violation, and one or more of  
26 28 such persons elects to do so by filing an action under  
26 29 section 17A.19, 21.6, or 22.10 and one or more of such  
26 30 persons elects to do so by filing a timely complaint  
26 31 with the board, the court in which the action was  
26 32 filed shall dismiss the action without prejudice,  
26 33 authorizing the complainant to file a complaint with  
26 34 respect to the same incident with the board without  
26 35 regard to the timeliness of the filing of the  
26 36 complaint at the time the action in court is  
26 37 dismissed.

26 38 3. If a person files an action pursuant to section  
26 39 22.8 seeking to enjoin the inspection of a public

26 40 record, the respondent or person requesting access to  
26 41 the record which is the subject of the request for  
26 42 injunction may remove the proceeding to the board for  
26 43 its determination by filing, within thirty days of the  
26 44 commencement of the judicial proceeding, a complaint  
26 45 with the board alleging a violation of chapter 22 in  
26 46 regard to the same matter.

26 47 Sec. 63. NEW SECTION. 23.6 BOARD POWERS AND  
26 48 DUTIES.

26 49 The board shall have all of the following powers  
26 50 and duties:

27 1 1. Employ such employees as are necessary to  
27 2 execute its authority, including administrative law  
27 3 judges, and attorneys to prosecute respondents in  
27 4 proceedings before the board and to represent the  
27 5 board in proceedings before a court. Notwithstanding  
27 6 section 8A.412, all of the board's employees, except  
27 7 for the executive director and attorneys, shall be  
27 8 employed subject to the merit system provisions of  
27 9 chapter 8A, subchapter IV.

27 10 2. Adopt rules with the force of law pursuant to  
27 11 chapter 17A calculated to implement, enforce, and  
27 12 interpret the requirements of chapters 21 and 22 and  
27 13 to implement any authority delegated to the board by  
27 14 this chapter.

27 15 3. Issue, consistent with the requirements of  
27 16 section 17A.9, declaratory orders with the force of  
27 17 law determining the applicability of chapter 21 or 22  
27 18 to specified fact situations and issue informal advice  
27 19 to any person concerning the applicability of chapters  
27 20 21 and 22.

27 21 4. Receive complaints alleging violations of  
27 22 chapter 21 or 22, seek resolution of such complaints  
27 23 through informal assistance or through mediation and  
27 24 settlement, formally investigate such complaints,  
27 25 decide after such an investigation whether there is  
27 26 probable cause to believe a violation of chapter 21 or  
27 27 22 has occurred, and if probable cause has been found  
27 28 prosecute the respondent before the board in a  
27 29 contested case proceeding conducted according to the  
27 30 provisions of chapter 17A.

27 31 5. Request and receive from a government body  
27 32 assistance and information as necessary in the  
27 33 performance of its duties. The board may examine a  
27 34 record of a government body that is the subject matter  
27 35 of a complaint, including any record that is  
27 36 confidential by law. Confidential records provided to  
27 37 the board by a governmental body shall continue to  
27 38 maintain their confidential status. Any member or  
27 39 employee of the board is subject to the same policies  
27 40 and penalties regarding the confidentiality of the  
27 41 document as an employee of the government body.

27 42 6. Issue subpoenas enforceable in court for the  
27 43 purpose of investigating complaints and to facilitate  
27 44 the prosecution and conduct of contested cases before  
27 45 the board.

27 46 7. After appropriate board proceedings, issue  
27 47 orders with the force of law, determining whether  
27 48 there has been a violation of chapter 21 or 22,  
27 49 requiring compliance with specified provisions of  
27 50 those chapters, imposing civil penalties equivalent to  
28 1 and to the same extent as those provided for in  
28 2 section 21.6 or 22.10, as applicable, on a respondent  
28 3 who has been found in violation of chapter 21 or 22,  
28 4 and imposing any other appropriate remedies calculated  
28 5 to declare, terminate, or remediate any violation of  
28 6 those chapters.

28 7 8. Represent itself in judicial proceedings to  
28 8 enforce or defend its orders and rules through  
28 9 attorneys on its own staff, through the office of the  
28 10 attorney general, or through other attorneys retained  
28 11 by the board, at its option.

28 12 9. Make training opportunities available to lawful  
28 13 custodians, government bodies, and other persons  
28 14 subject to the requirements of chapters 21 and 22 and  
28 15 require, in its discretion, appropriate persons who  
28 16 have responsibilities in relation to chapters 21 and  
28 17 22 to receive periodic training approved by the board.

28 18 10. Disseminate information calculated to inform  
28 19 members of the public about the public's right to  
28 20 access government information in this state including

28 21 procedures to facilitate this access and including  
28 22 information relating to the obligations of government  
28 23 bodies under chapter 21 and lawful custodians under  
28 24 chapter 22 and other laws dealing with this subject.

28 25 11. Prepare and transmit to the governor and to  
28 26 the general assembly, at least annually, reports  
28 27 describing complaints received, board proceedings,  
28 28 investigations, hearings conducted, decisions  
28 29 rendered, and other work performed by the board.

28 30 12. Make recommendations to the general assembly  
28 31 proposing legislation relating to public access to  
28 32 government information deemed desirable by the board  
28 33 in light of the policy of this state to provide as  
28 34 much public access as possible to government  
28 35 information as is consistent with the public interest  
28 36 and the need to protect individuals against undue  
28 37 invasions of personal privacy.

28 38 Sec. 64. NEW SECTION. 23.7 FILING OF COMPLAINTS  
28 39 WITH THE BOARD.

28 40 1. The board shall adopt rules with the force of  
28 41 law and pursuant to chapter 17A providing for the  
28 42 timing, form, content, and means by which any  
28 43 aggrieved person, any taxpayer or citizen of this  
28 44 state, the attorney general, or any county attorney  
28 45 may file a complaint with the board alleging a  
28 46 violation of chapter 21 or 22. The complaint must be  
28 47 filed within sixty days from the time the alleged  
28 48 violation occurred or the complainant could have  
28 49 become aware of the violation with reasonable  
28 50 diligence.

29 1 2. All board proceedings in response to the filing  
29 2 of a complaint shall be conducted as expeditiously as  
29 3 possible.

29 4 3. The board shall not charge a complainant any  
29 5 fee in relation to the filing of a complaint, the  
29 6 processing of a complaint, or any board proceeding or  
29 7 judicial proceeding resulting from the filing of a  
29 8 complaint.

29 9 Sec. 65. NEW SECTION. 23.8 INITIAL PROCESSING OF  
29 10 COMPLAINT.

29 11 Upon receipt of a complaint alleging a violation of  
29 12 chapter 21 or 22, the board shall do either of the  
29 13 following:

29 14 1. Determine that, on its face, the complaint is  
29 15 within the board's jurisdiction, appears legally  
29 16 sufficient, and could have merit. In such a case the  
29 17 board shall accept the complaint, and shall notify the  
29 18 parties of that fact in writing.

29 19 2. Determine that, on its face, the complaint is  
29 20 outside its jurisdiction, is legally insufficient, is  
29 21 frivolous, is without merit, involves harmless error,  
29 22 or relates to a specific incident that has previously  
29 23 been finally disposed of on its merits by the board or  
29 24 a court. In such a case the board shall decline to  
29 25 accept the complaint. If the board refuses to accept  
29 26 a complaint, the board shall provide the complainant  
29 27 with a written order explaining its reasons for the  
29 28 action.

29 29 Sec. 66. NEW SECTION. 23.9 INFORMAL ASSISTANCE  
29 30 == MEDIATION AND SETTLEMENT.

29 31 1. After accepting a complaint, the board shall  
29 32 promptly work with the parties through its employees  
29 33 to reach an informal, expeditious resolution of the  
29 34 complaint. If an informal resolution satisfactory to  
29 35 the parties cannot be reached, the board or the  
29 36 board's designee shall offer the parties an  
29 37 opportunity to resolve the dispute through mediation  
29 38 and settlement.

29 39 2. The mediation and settlement process shall  
29 40 enable the complainant to attempt to resolve the  
29 41 dispute with the aid of a neutral mediator employed  
29 42 and selected by the board, in its discretion, from  
29 43 either its own staff or an outside source.

29 44 3. Mediation shall be conducted as an informal,  
29 45 nonadversarial process and in a manner calculated to  
29 46 help the parties reach a mutually acceptable and  
29 47 voluntary settlement agreement. The mediator shall  
29 48 assist the parties in identifying issues and shall  
29 49 foster joint problem solving and the exploration of  
29 50 settlement alternatives.

30 1 Sec. 67. NEW SECTION. 23.10 ENFORCEMENT.

30 2 1. If any party declines mediation or settlement  
30 3 or if mediation or settlement fails to resolve the  
30 4 matter to the satisfaction of all parties, the board  
30 5 shall initiate a formal investigation concerning the  
30 6 facts and circumstances set forth in the complaint.  
30 7 The board shall, after an appropriate investigation,  
30 8 make a determination as to whether the complaint is  
30 9 within the board's jurisdiction and whether there is  
30 10 probable cause to believe that the facts and  
30 11 circumstances alleged in the complaint constitute a  
30 12 violation of chapter 21 or 22.

30 13 2. If the board finds the complaint is outside the  
30 14 board's jurisdiction or there is no probable cause to  
30 15 believe there has been a violation of chapter 21 or  
30 16 22, the board shall issue a written order explaining  
30 17 the reasons for the board's conclusions and dismissing  
30 18 the complaint, and shall transmit a copy to the  
30 19 complainant and to the party against whom the  
30 20 complaint was filed.

30 21 3. a. If the board finds the complaint is within  
30 22 the board's jurisdiction and there is probable cause  
30 23 to believe there has been a violation of chapter 21 or  
30 24 22, the board shall issue a written order to that  
30 25 effect and shall commence a contested case proceeding  
30 26 under chapter 17A against the respondent. An attorney  
30 27 selected by the director of the board shall prosecute  
30 28 the respondent in the contested case proceeding. At  
30 29 the termination of the contested case proceeding the  
30 30 board shall, by a majority vote of its members, render  
30 31 a final decision as to the merits of the complaint.  
30 32 If the board finds that the complaint has merit, the  
30 33 board may issue any appropriate order to ensure  
30 34 enforcement of chapter 21 or 22 including but not  
30 35 limited to an order requiring specified action or  
30 36 prohibiting specified action and any appropriate order  
30 37 to remedy any failure of the respondent to observe any  
30 38 provision of those chapters.

30 39 b. If the board determines, by a majority vote of  
30 40 its members, that the respondent has violated chapter  
30 41 21 or 22, the board may also do any or all of the  
30 42 following:

30 43 (1) Require the respondent to pay damages as  
30 44 provided for in section 21.6 or 22.10, whichever is  
30 45 applicable, to the extent that provision would make  
30 46 such damages payable if the complainant had sought to  
30 47 enforce a violation in court instead of through the  
30 48 board.

30 49 (2) Void any action taken in violation of chapter  
30 50 21 if a court would be authorized to do so in similar  
31 1 circumstances pursuant to section 21.6.

31 2 c. The board shall not have the authority to  
31 3 remove a person from public office for a violation of  
31 4 chapter 21 or 22. The board may file an action under  
31 5 chapter 21 or 22 to remove a person from office for  
31 6 violations that would subject a person to removal  
31 7 under those chapters.

31 8 d. A final board order resulting from such  
31 9 proceedings may be enforced by the board in court and  
31 10 is subject to judicial review pursuant to section  
31 11 17A.19.

31 12 Sec. 68. NEW SECTION. 23.11 DEFENSES IN A  
31 13 CONTESTED CASE PROCEEDING.  
31 14 A respondent may defend against a proceeding before  
31 15 the board charging a violation of chapter 21 or 22 on  
31 16 the ground that if such a violation occurred it was  
31 17 only harmless error or that clear and convincing  
31 18 evidence demonstrated that grounds existed to justify  
31 19 a court to issue an injunction against disclosure  
31 20 pursuant to section 22.8.

31 21 Sec. 69. NEW SECTION. 23.12 JURISDICTION.  
31 22 The board shall not have jurisdiction over the  
31 23 judicial or legislative branches of state government  
31 24 or any entity, officer, or employee of those branches,  
31 25 or over the governor or the office of the governor.

31 26 Sec. 70. IOWA PUBLIC INFORMATION BOARD ==  
31 27 TRANSITION PROVISIONS.  
31 28 1. The initial members of the Iowa public  
31 29 information board established pursuant to this  
31 30 division of this Act shall be appointed by September  
31 31 1, 2008.  
31 32 2. Notwithstanding any provision of this division

31 33 of this Act to the contrary, the director of the board  
31 34 and employees of the board shall not be hired prior to  
31 35 July 1, 2009.

31 36 3. Prior to July 1, 2009, the board shall submit a  
31 37 report to the governor and the general assembly. The  
31 38 report shall include a job description for the  
31 39 executive director of the board, goals for board  
31 40 operations, and performance measures to measure  
31 41 achievement of the board's goals.

31 42 Sec. 71. APPROPRIATION == IOWA PUBLIC INFORMATION  
31 43 BOARD. There is appropriated from the general fund of  
31 44 the state to the department of management for the  
31 45 fiscal year beginning July 1, 2008, and ending June  
31 46 30, 2009, the following amount, or so much thereof as  
31 47 is necessary, to be used for the following purpose:

31 48 For the initial expenses of the Iowa public  
31 49 information board as established in this division of  
31 50 this Act:

32 1 ..... \$ 6,000

32 2 Sec. 72. LEGISLATIVE INTENT == OPEN MEETINGS AND  
32 3 PUBLIC RECORDS LAWS. It is the intent of the general  
32 4 assembly to provide as much transparency in government  
32 5 operations as possible consistent with the need to  
32 6 avoid undue invasions of personal privacy and the need  
32 7 to avoid significant interference with the achievement  
32 8 of other important and legitimate state objectives.  
32 9 To these ends, the general assembly will continue to  
32 10 consider and make any necessary technical, practical,  
32 11 and policy revisions to Iowa's open meetings law,  
32 12 chapter 21, and Iowa's public records law, chapter 22.

32 13 DIVISION \_\_\_\_\_  
32 14 WAGE=BENEFITS TAX CREDIT PROGRAM

32 15 Sec. 73. Section 15.335A, subsection 2, paragraphs  
32 16 b and c, Code 2007, are amended by striking the  
32 17 paragraphs and inserting in lieu thereof the  
32 18 following:

32 19 b. "Average county wage" means the annualized,  
32 20 average hourly wage based on wage information compiled  
32 21 by the department of workforce development.

32 22 c. "Benefits" means all of the following:

32 23 (1) Medical and dental insurance plans. If an  
32 24 employer offers medical insurance under both single  
32 25 and family coverage plans, the employer shall be given  
32 26 credit for providing medical insurance under family  
32 27 coverage plans to all new employees.

32 28 (2) Pension and profit sharing plans.

32 29 (3) Child care services.

32 30 (4) Life insurance coverage.

32 31 (5) Other benefits identified by rule of the  
32 32 department of revenue.

32 33 Sec. 74. Section 15.336, Code 2007, is amended to  
32 34 read as follows:

32 35 15.336 OTHER INCENTIVES.

32 36 An eligible business may receive other applicable  
32 37 federal, state, and local incentives and credits in  
32 38 addition to those provided in this part. ~~However, a~~

~~32 39 business which participates in the program under this~~  
~~32 40 part shall not receive any wage-benefits tax credits~~  
~~32 41 under chapter 15I.~~

32 42 Sec. 75. Section 15G.112, subsection 1, Code 2007,  
32 43 is amended to read as follows:

32 44 1. In order to receive financial assistance from  
32 45 the department from moneys appropriated from the grow  
32 46 Iowa values fund, the average annual wage, including  
32 47 benefits, of new jobs created must be equal to or  
32 48 greater than one hundred thirty percent of the average  
32 49 county wage. For purposes of this section, "average  
32 50 county wage" and "benefits" mean the same as defined  
33 1 in section ~~15I.1~~ 15.335A.

33 2 Sec. 76. Section 422.33, subsection 18, Code  
33 3 Supplement 2007, is amended by striking the  
33 4 subsection.

33 5 Sec. 77. Section 422.60, subsection 10, Code  
33 6 Supplement 2007, is amended by striking the  
33 7 subsection.

33 8 Sec. 78. Section 533.329, subsection 2, paragraph  
33 9 m, Code Supplement 2007, is amended by striking the  
33 10 subsection.

33 11 Sec. 79. Sections 15I.2, 15I.3, and 422.11L, Code  
33 12 Supplement 2007, are repealed.

33 13 Sec. 80. Sections 15I.1, 15I.4, 15I.5, and

33 14 432.12G, Code 2007, are repealed.  
33 15 Sec. 81. CONTINUATION OF TAX CREDITS. The repeal  
33 16 of chapter 15I in this division of this Act does not  
33 17 affect the availability of tax credits for qualified  
33 18 new jobs in existence on June 30, 2008. Qualified new  
33 19 jobs in existence on June 30, 2008, shall continue to  
33 20 be eligible to receive the tax credits for the  
33 21 remainder of the five-year period. However, a  
33 22 business is not entitled to a tax credit for a  
33 23 qualified new job created on or after July 1, 2008.>  
33 24 #27. By renumbering, relettering, or redesignating  
33 25 and correcting internal references as necessary.  
33 26 HF 2700.s  
33 27 mg/ml/12